



June 15, 2017

Governor
C. L. "BUTCH" OTTER

Chairman
WAYNE HUNSUCKER
Lucile

Members
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BOB BAROWSKY
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LOUISE STARK
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*"Helping Protect
Idaho's
Natural Resources "*

Dear Licensed Outfitters, Designated Agents, Guides and Public,

On May 19, 2017, Lieutenant Governor Brad Little signed Executive Order 2017-06 directing a sweeping review of Idaho's licensing requirements. Per this executive order, input is now being accepted from all licensees and any public wishing to provide comment related to the licensing process and the requirements associated with the licensing procedure.

Areas to take into consideration when submitting your input are:

- Is the timeframe in which a license is either granted or denied acceptable?
- Are the prerequisites for a license reasonable?
- Are the renewal requirements acceptable?
- Are the requirements for accepting or denying an application and license renewal reasonable?
- Comments or concerns relating to suspension, revocation, or other disciplinary actions.
- Are the application, renewal, and other fees practical?
- Any other comments or concerns relating to the Idaho Outfitters and Guides Licensing Board.

All interested parties who wish to comment need to do so no later than May 2, 2018. Please submit in writing or electronically the following ways:

- Idaho Outfitters and Guides Licensing Board
 - Website: www.oglb.idaho.gov
 - Email: licensing@oglb.idaho.gov
 - Postal Mail: 1365 N. Orchard St. Rm 172 Boise, ID 83706
- Idaho Governor's Office
 - Email: governor@gov.idaho.gov
 - Postal Mail: State Capital P.O. Box 83720 Boise, ID 83720
- Idaho Lieutenant Governor's Freedom Act Website
 - Website: <https://lgo.idaho.gov/freedomact/>
 - Email: freedomact@lgo.idaho.gov

We look forward to serving you and encourage any and all input.

Sincerely,

Lori Thomason
Executive Director



BRAD LITTLE
LIEUTENANT GOVERNOR

FOR IMMEDIATE RELEASE
May 19, 2017

CONTACT: Greg Wilson
(208) 334-2200

ACTING GOVERNOR LITTLE SIGNS EXECUTIVE ORDER— LICENSING FREEDOM ACT—REVIEW OF STATE LICENSING REQUIREMENTS

(Boise, ID) – Lieutenant Governor Brad Little – in his capacity as acting governor – signed an executive order today directing a sweeping review of Idaho’s occupational licensing requirements.

“To my knowledge we have never reviewed many of these licenses. From this last legislative session it’s clear that we need to take a comprehensive look at our practices, and how and why they were implemented,” Acting Governor Little said in signing the “Licensing Freedom Act.”

[Executive Order 2017-06](#) requires State agencies to submit a report to the Office of the Governor no later than July 1, 2018. The report will assess whether the licensure requirements are necessary and in the public interest while providing recommendations for improvement, modification or elimination.

“It’s been nearly four decades since government has taken a look at many of these licenses, and with advancements in technology it’s time for us to ask: Is it needed? Can we modernize? How can the state provide better customer service? Can government get out of the way and still protect the common good?” the Lieutenant Governor said. “I don’t see this as a knock on government but rather as an opportunity for government to work with citizens, to roll back unneeded regulation, and make our processes more user-friendly.”

Under the review process, the report from each Executive agency will include:

- The timeframe in which a license is either granted or denied
- Prerequisites for a license
- Renewal requirements
- Requirements for accepting or denying an application and license renewal
- Qualifications for suspension, revocation or other disciplinary action
- The cost to apply for an application or renewal of a license
- The cost for administering the licensing and renewal process

In addition to the executive order, Lieutenant Governor Little has set up a website and email address for the public to provide testimony on licensing concerns.

“I’d like to hear directly from those who are affected by licensing requirements. I realize they might not want to report directly to overseeing agencies, so this will provide an outlet for them to freely express their ideas and concerns,” the Lieutenant Governor said. “Government always needs to do its part to protect citizens, but it also must make sure it does not interfere where it’s not needed. I always say, ‘Only the lightest possible hand.’”

Comments can be emailed to freedomact@lgo.idaho.gov or posted at lgo.idaho.gov/freedomact/.

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Executive Department
State of Idaho

EXECUTIVE DEPARTMENT
STATE OF IDAHO
BOISE

State Capitol
Boise

EXECUTIVE ORDER NO. 2017-06

**ON REVIEWING THE NECESSITY FOR AND THE APPLICABILITY AND
PROCESSING OF LICENSURE REQUIREMENTS FOR INDIVIDUALS
ENGAGED OR DESIRING TO BE ENGAGED OR EMPLOYED IN TECHNICAL,
PROFESSIONAL OR OTHER OCCUPATIONS WITHIN THE STATE OF IDAHO,
EMPHASIZING THE EFFECT OF LICENSURE REQUIREMENTS ON IDAHO
EMPLOYMENT OPPORTUNITIES**

WHEREAS, in order to protect the public, the Legislature has enacted laws in Idaho establishing licensure requirements for persons desiring to be employed or engaged in various professional, technical or other occupations within the state; and

WHEREAS, administration of such laws are vested in agencies or bureaus within state executive departments or in various self-governing agencies; and

WHEREAS, the extent of state occupational licensure is partially reflected in Title 54, Idaho Code, with 57 chapters devoted to licensure of persons to engage in certain professional, technical, and occupational endeavors, and the responsibility for licensure of persons to engage in those occupations is delegated by law to independent self-governing agencies, and substantial occupational licensing authority also has been granted to the 19 state executive departments; and

WHEREAS, while it is important to ensure public protection, it also is imperative that we ensure that the laws and rules do not create unnecessary barriers to commerce and employment, and although new and occasionally existing regulatory rules are reviewed by the Legislature, there has not been a comprehensive internal review of licensing requirements within the executive branch of Idaho's government since the reorganization of the state executive departments in the mid-1970s, more than 42 years ago; and

WHEREAS, there has been no comprehensive critical analysis of the effect of existing licensing requirements on employment opportunities within the state, nor has there been any re-examination of such requirements to determine the necessity for such licensure, or whether the public interest could not be equally or better served by less restrictive or less intrusive mechanisms than those now in place; and

WHEREAS, analysis of the laws and rules may well result in removing unnecessary barriers to desirable employment for qualified individuals and increasing the availability of a skilled and valuable workforce necessary to grow Idaho's economy; and

WHEREAS, Article IV, Section 5, of the Constitution of the State of Idaho vests the supreme executive power of the state in the governor and imposes upon the governor the responsibility to see that the laws of the state are faithfully executed; and

WHEREAS, Article IV, Section 5, of the Constitution of the State of Idaho provides that in the event of certain events, including the absence of the Governor from the state, the powers, duties and emoluments of the office of governor shall devolve upon the lieutenant governor until the governor shall not be absent from the state; and

WHEREAS, at the time of executing this Executive Order, the Governor is absent from the state and during such absence, the powers and duties of the office of governor have devolved upon the Lieutenant Governor;

NOW THEREFORE, I, BRAD LITTLE, Acting Governor, by virtue of the authority vested in me by the Constitution and laws of the State of Idaho, hereby declare the following:

- 1. Each executive department of the state of Idaho as set forth in section 67-2402, Idaho Code, including each division, bureau or self-governing agency with statutory or regulatory authority to issue a license to an individual, authorizing such person to engage in a profession, vocation or occupation, shall review and report:*
 - a. the timeframe for final action either approving or denying a complete application for issuance of a professional, occupational, or vocational license; and*
 - b. review of requirements that are prerequisites for the issuance of each type of license and suggestions on requirements that can be eliminated; and*
 - c. review of renewal requirements and suggestions on requirements that can be eliminated; and*
 - d. statutory or regulatory prohibitions that require the department to deny either the acceptance of an application for a license or the denial of the issuance or renewal of a license, together with a report of the number of applicants denied licensure, or whose applications were not accepted for consideration by the department or agency, or who were refused renewal of a license for the one-year period immediately following or preceding the date of this executive order, and the factual or statutory basis for each such denial; and*
 - e. statutory or regulatory authority for the suspension, revocation or other disciplinary action relating to professional, technical, or occupational licenses issued by such agency, together with a report of the number of such disciplinary actions and the factual or statutory basis for such action; and*
 - f. the cost of administering the licensing process on a per applicant basis, and the fee charged to each applicant for issuance or renewal of a license.*
 - g. in recognition of the work by board members to address these issues, list the laws and rule changes enacted in the past five years to eliminate barriers.*
- 2. Each executive department of the state of Idaho as set forth in section 67-2402, Idaho Code, including each division, bureau or self-governing agency with statutory or regulatory authority to issue a license to an individual, authorizing such person to engage in a professional, technical or occupation, shall:*
 - a. provide an assessment or statement as to whether the licensure, or requirements relating thereto, are in the public interest, together with the reasons for such assessment or opinion; and*
 - b. provide recommendations for improvement, modification or elimination of licensure requirements within the department's or the self-governing agency's jurisdiction; and*
 - c. within thirty (30) days following the effective date of this Executive Order, adopt a process or procedure affording interested persons reasonable opportunity to submit to the department, bureau or self-governing agency, or to the Governor's office or the office of the Lieutenant Governor if the person chooses, data, views, opinions or arguments concerning any matter which is the subject of this Executive Order. Such information may be submitted either in writing or*

electronically. The process or procedure may provide a closing date for the submission of such information, which for the purposes of this Executive Order shall not be earlier than May 1, 2018; and

- d. upon adopting such process or procedure, provide notice to the Governor's office and to all interested persons of its intent to comply with the requirements of this Executive Order and the manner in which such interested persons may provide data, views, opinions or arguments either to the department, bureau, self-governing agency or to the Governor's office or the office of the Lieutenant Governor.
3. The term "interested persons," as used in paragraphs 2c and 2d of this Executive Order shall include but not be limited to all persons currently licensed by the affected department or agency on the effective date of this Executive Order.
 4. Each executive department of the state of Idaho as set forth in section 67-2402, Idaho Code, including each division, bureau or self-governing agency, shall submit the report including the information required in this Executive Order to the Governor's office no later than July 1, 2018. Reports may be submitted electronically.



IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Idaho at the Capitol in Boise on this 19th day of May, in the year of our Lord two thousand and seventeen and of the Independence of the United States of America the two hundred forty-first and of the Statehood of Idaho the one hundred twenty-seventh.

A blue ink signature of Brad Little, written in a cursive style.

BRAD LITTLE
ACTING GOVERNOR

A blue ink signature of Lawrence Denney, written in a cursive style.

LAWRENCE DENNEY
SECRETARY OF STATE